

*Some plain talk
about a book
by Hitler*

Stadpole Lane

FIVE YEARS OF CENSORSHIP

In 1925 Adolf Hitler published a book. In 1927 he published the second volume of the same work—MEIN KAMPF. In 1933 less than one-fourth of the book was published in this country as an "abridged" edition. During the five years since that emasculated American edition Adolf Hitler has exercised strict censorship on his book. Whenever a publisher outside Germany has attempted to present an unexpurgated edition of MEIN KAMPF, Hitler has resorted to the courts to prevent such publication.

Why? Chiefly because the book is, as Miss Dorothy Thompson has pointed out,

a blue-print of Germany's imperialist program as well as a revelation of Hitler's true feelings about other nations, about war and peace, about the Jewish race, about Christianity and Democracy.

For more than five years Hitler's censorship has been effective in the United States, this despite an insistent demand for the complete text on the part of scholars, historians and the politically conscious general public. Apparently American publishers' hands were tied. A number of them conferred on a plan to publish the book co-operatively, but that project came to naught.

A LEGAL INVESTIGATION

In 1938, after conferring with a group of journalists and men and women in public life, the firm of Stackpole Sons decided to undertake to publish the work if it was legally possible. An attorney eminent in the field of copyright investigated the situation and, on the basis of his findings, Stackpole Sons announced the complete unexpurgated MEIN KAMPF on December 8th, for publication late in February.

Translation and editorial preparation of the book had been undertaken before that date as soon as it became apparent that the project was feasible. A few days later, on December 12th, Mr. Eugene Reynal of the publishing firm of Reynal and Hitchcock, called the editor of Stackpole Sons,

Mr. William Soskin, to say that Reynal and Hitchcock were also planning an unexpurgated edition of MEIN KAMPF. In a conference Mr. Soskin explained that if Stackpole Sons could not establish a legal course of action they would withdraw their announcement and not publish the book. Mr. Reynal and Mr. Hitchcock explained that they had started negotiations with the publishers of the abridged edition Houghton, Mifflin and Co., whereby whatever complications stood in the way of Houghton, Mifflin's publication of the complete edition might be averted. They agreed that if the book was in the public domain, they would not be interested in publishing it.

Nevertheless, some two weeks later,

Stackpole Sons were advised by Reynal and Hitchcock that an arrangement had been made for publication of an unexpurgated edition by Houghton, Mifflin and Reynal and Hitchcock jointly. This presumably avoided whatever difficulty may have been involved in Houghton, Mifflin's publishing of the book alone. For their edition Reynal and Hitchcock arranged to use a translation that had been undertaken by a group of emigre members of the University in Exile under the auspices of the New School of Social Research, a translation which had

been partly examined by other publishers as well. This translation and this edition will pay royalties to Adolf Hitler, since it is published under the contract by which Hitler circulated his highly abridged edition in America for so many years.

The Stackpole Sons' edition of MEIN KAMPF, complete, unexpurgated and expertly translated with careful consideration of Hitler's every shade of meaning, will pay no royalties to Germany. It will, instead, donate royalties to whatever emigre organizations may be decided on by a committee of sponsors for the book.

MAN WITHOUT A COUNTRY

How does it happen that this book may be legally published with no violation of any ethical code?

It is on no merely technical ground that Stackpole Sons have shown MEIN KAMPF to be in the public domain in the United States. The fact is that Adolf Hitler, by his own word and his voluntary will, has placed himself beyond the pale in which law and legal copyright treaties between nations apply. In 1925 when Hitler registered his book in Washington, D. C., he listed himself as a "stateless German." He was not a citizen of Germany, and he was a citizen of no other nation at the time. In 1927, when the second volume was registered, Hitler listed himself as an Austrian citizen. But he was not an Austrian citizen at the time. In both cases he was not entitled to any copyright whatever in the United States because inter-

national copyright treaties apply only to the citizens of the nations who are parties to the treaties. Hitler in those years repudiated both German and Austrian citizenship and chose to be a lone-wolf, an organizer of a new Fascist movement, a man without a country.

The fault, then, lay not in the copyright law, but in the man himself. The case of MEIN KAMPF is therefore unique in that it hits at Hitler only through his own failure to be responsive to the law of any country. There is nothing in the case in derogation of the protection of persons within the law. On the contrary, the basis of Stackpole Sons' resolve to break restrictive attempt to censor the book rests upon upholding the copyright law and denying protection only to that man who has himself denied the law.

IS THE TREATY VALID?

Even if Adolf Hitler had been a citizen, however, and eligible for copyright protection, it is decidedly a question whether the copyright treaty between Germany and the United States is one that will hold water under the changed conditions of Nazi Germany's new legal structure. Under that treaty, proclaimed by the President of the United States in 1892, German and American citizens were to have reciprocal rights. Today any German citizen may obtain copyright in the United States, but if an American work should fall outside the German *Kulturkammer's* purpose of promoting Nazi-Aryan culture, it would automatically be barred by the *Kulturkammer's* rules.

In other words, the conditions on which the treaty was based no longer exist. There was no provision made for the rescinding of that treaty. It was put into effect by executive order. It is probably within the province

of the American courts to rescind it should an action be inaugurated.

All these considerations, as well as the fact that Hitler's *restrictive* copyright has been against the spirit of the copyright law which constitutionally is intended to promote rather than restrict the arts and sciences, indicate the deep social basis of the present publication of the Stackpole Sons edition of MEIN KAMPF.

By the exposure of the illegal basis of Adolf Hitler's application for copyright in this country, MEIN KAMPF, a social document of great significance, has become public property—a book which may be printed and circulated by any publisher. That is the result of Hitler's initial repudiation of citizenship and legal process, and of his attempt to keep the complete book from the general public whose very lives have been radically changed by it.

MEIN KAMPF

By Adolf Hitler

Complete and unexpurgated, \$3.00

This edition pays no royalties to Germany.

STACKPOLE SONS

PUBLISHERS

250 Park Avenue, New York City